

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JACK STEPHEN PURSLEY,

Defendant.

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Cause No. 4:18-cr-575

DEFENDANT’S MOTION IN *LIMINE* TO EXCLUDE TESTIMONY OF JON HURT

Defendant Jack Stephen Pursley (“Pursley”) files this Motion in Limine to exclude the testimony of Jon Hurt (“Hurt”), which relates to conduct that is in no way connected to the allegations in the Indictment or is otherwise inadmissible pursuant to this Court’s prior rulings and the Federal Rules of Evidence. In support of his Motion, Pursley states the following:

Jon Hurt, a witness on the Government’s witness list, was one of Pursley’s prior tax preparers. Hurt’s contact with Pursley ended after he filed Pursley’s 2007 tax return. The Indictment does not allege Pursley committed Tax Evasion in 2007 or prior to that date. Therefore, Hurt’s testimony is irrelevant under Federal Rule of Evidence 402; and/or it is inadmissible under Rule 403 because any marginal relevance is substantially outweighed by confusing the issues, misleading the jury, undue delay, and wasting time.

Furthermore, the Court should bar any attempt by the Government to use Hurt to back-door or in any way adduce any testimony relating to (1) Pursley’s dealings and transactions to “flip houses” with Christopher and Lisa Carrillo and/or (2) the alleged failure to report the profits from

investment properties with the Carrillos to the IRS. The Court ruled last year during the November 19th Pre-Trial Conference that evidence on this subject is inadmissible unless Pursley first opens the door. *See* Nov. 19, 2018 Pretrial Conference Transcript, pgs. 63-65; November 20, 2018 Management Order (Doc. No. 55), para. 7.

For the foregoing reasons, Pursley requests the Court exclude the testimony of Jon Hurt from evidence and award all other appropriate relief.

Respectfully submitted,

/s/ Victor D. Vital

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CERTIFICATE OF SERVICE

I certify that on August 12, 2019, a copy of this document was served on all counsel of record through filing on the ECF System.

/s/ Victor D. Vital

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